

Governor's Advisory Council for Exceptional Citizens (GACEC) ANNUAL REPORT



FISCAL YEAR 2022

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Acronyms

Acronyms can reduce long phrases to something that we can quickly reference and thereby increase the brevity of our writing. They can also be confusing to those who are new to a community or content area and make navigating systems very challenging. To assist readers, we included below a list of acronyms that are used in this report. For an extensive list of commonly used acronyms in the disability and exceptionality communities in Delaware, please visit:

[ACRONYM LIST \(delaware.gov\)](https://delaware.gov/acronym-list)

<p>ADA- Americans with Disabilities Act</p> <p>AGEC- Access to General Education Curriculum</p> <p>APR- Annual Performance Report</p> <p>ASQ- Ages and Stages Questionnaire</p> <p>BIC- Brain Injury Committee</p> <p>CAC- Community Advisory Council</p> <p>CDS- Center for Disabilities Studies</p> <p>CEC- Council for Exceptional Children</p> <p>CFR- Code of Federal Regulations</p> <p>DCADA- Delaware Coalition for the Americans with Disabilities Act</p> <p>DDOE- Delaware Department of Education</p> <p>DE AFN- Delaware Access and Functional Needs</p> <p>DECC- Delaware Early Childhood Center</p> <p>DeIDHub- Delaware Disability Hub</p> <p>DHIN- Delaware Health Information Network</p> <p>DHMIC- Delaware Healthy Mothers & Infant Consortium</p> <p>DHSS- Department of Health & Social Services</p> <p>DMMA- Division of Medicaid and Medicare Assistance</p> <p>DMS- Differentiated Monitoring and Support</p> <p>DMV- Department of Motor Vehicle</p> <p>DDOE- Delaware Department of Education</p> <p>DOL- Department of Labor</p> <p>DSAAPD- Division of Service to Aging and Adults with Physical Disabilities</p> <p>DSCYF- Department of Service for Children, Youth and their Families</p> <p>DVR- Division of Vocational Rehabilitation</p> <p>DVRTF- Delaware Victims' Rights Taskforce</p> <p>ECIC- Early Childhood Inclusion Committee</p> <p>EFMP- Exceptional Family Member Program</p> <p>EPIC- Endless Possibilities in the Community</p> <p>ESSA- Every Student Succeeds Act</p> <p>FY- Fiscal Year</p> <p>GACADP- Governor's Advisory Council for Aging and Disabled Persons</p>	<p>GACEC-Governor's Advisory Council for Exceptional Citizens</p> <p>GCBACS- Governor's Commission on Building Access to Community-Based Services</p> <p>HLADE- Hearing Loss Association of Delaware</p> <p>ICC- Interagency Coordinating Council</p> <p>IDEA- Individuals with Disabilities Education Act</p> <p>IEP- Individualized Education Plan</p> <p>IFSP- Individualized Family Service Plan</p> <p>K-3- Kindergarten through Third grade</p> <p>LEA- Local Education Agency</p> <p>LIFE- Legislation, Independence, Family Support Services and Education</p> <p>LRE- Least Restrictive Environment</p> <p>MDE- Multi-Disciplinary Evaluation</p> <p>MTSS- Multi-tiered Systems of Support</p> <p>DPH- Delaware Public Health</p> <p>OEL- Office of Early Learning</p> <p>OCCL- Office of Childcare Licensing</p> <p>OSEP- Office of Special Education Programs</p> <p>PAIR- Protection & Advocacy of Individual Rights</p> <p>Part B- section under IDEA which authorizes assistance for the education of all children with disabilities or FAPE</p> <p>Part C- section under IDEA which authorizes Early Intervention Programs for Infants and Toddlers with Disabilities</p> <p>PBS- Positive Behavioral Supports</p> <p>PIC- Parent Information Center</p> <p>PTA- Parent Teacher Association</p> <p>SAP- State Advisory Panel</p> <p>SCPD- State Council for Persons with Disabilities</p> <p>SEED- Student Excellence Equals Degree</p> <p>SESPAC- Special Education Strategic Planning Council</p> <p>SLP- Speech Language Pathology</p> <p>SSIP- State Systemic Improvement Plan</p>
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What is the Governor's Advisory Council for Exceptional Citizens?

Mission

The mission of the Governor's Advisory Council for Exceptional Citizens (GACEC) is to serve as the review board for policies, procedures and practices related to the delivery of services for all residents with exceptionalities or disabilities in Delaware from birth to death. The GACEC also serves as the state advisory panel for agencies providing educational services and programs to children (birth through age 26) in Delaware through the Individuals with Disabilities Education Act (IDEA).

Statutory Responsibilities

The GACEC is authorized by dual mandates that include both State and Federal responsibilities.

At the State level, the Council is mandated by the following:

[Delaware Code: Title 14, Chapter 31, § 3111](#)

The Governor shall appoint an advisory council to act in an advisory capacity to the Department of Education, the State Board of Education and other state agencies on the needs of exceptional citizens. The General Assembly shall provide for the maintenance of the council. The council shall also serve in the capacity of the advisory panel as required by Individuals with Disabilities Education Act (IDEA).

And-

[Delaware Code: Title 14, Chapter 24, § 2408](#)

The Governor's Advisory Council for Exceptional Citizens (GACEC), in its advisory capacity as authorized by § 3111 of this title shall meet annually with Department of Education and Department of Correction designated representatives to discuss the operation of the joint agency prison education program. No more frequently than every other year, the GACEC may conduct a site visit, which may include interviews and access to public records pursuant to its advisory authority under § 3111 of this title. Prior to commencing the review, the GACEC, Department of Correction and Department of Education shall agree upon the scope and purpose of the review. Any site visit, interviews, and public record reviews shall be coordinated by a representative(s) of the joint agency prison education program and shall be conducted in a manner consistent with any common law privileges, applicable federal and state laws, and security procedures and considerations. The GACEC will include findings related to site visits and program review and assessment in its annual report.

At a federal level, the Council serves as the State Advisory Panel (SAP) in accordance with the Code of Federal Regulations (CFR) § 300.1- 300.818 for the [Individuals with Disabilities Education Act \(IDEA\)](#) and its amendments.

The [State Advisory Panel](#) § 300.167-169:

§ 300.167 - State advisory panel.

The State must establish and maintain an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

(Approved by the Office of Management and Budget under control number 1820-0030) (Authority: [20 U.S.C. 1412](#)(a)(21)(A))

§ 300.168 - Membership.

(a) *General.* The advisory panel must consist of members appointed by the Governor, or any other official authorized under State law to make such appointments, be representative of the State population and be composed of individuals involved in, or concerned with the education of children with disabilities, including -

- (1) Parents of children with disabilities (ages birth through 26);
- (2) Individuals with disabilities;
- (3) Teachers;
- (4) Representatives of institutions of higher education that prepare special education and related services personnel;
- (5) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act, ([42 U.S.C. 11431 et seq.](#));
- (6) Administrators of programs for children with disabilities;
- (7) Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- (8) Representatives of private schools and public charter schools;
- (9) Not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- (10) A representative from the State child welfare agency responsible for foster care; and
- (11) Representatives from the State juvenile and adult corrections agencies.

(b) *Special rule.* A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities (ages birth through 26).

(Approved by the Office of Management and Budget under control number 1820-0030) (Authority: [20 U.S.C. 1412](#)(a)(21)(B) and (C))

§ 300.169 - Duties.

The advisory panel must -

- (a) Advise the SEA of unmet needs within the State in the education of children with disabilities;
- (b) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
- (c) Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act;
- (d) Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act; and
- (e) Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.

(Approved by the Office of Management and Budget under control number 1820-0030) (Authority: [20 U.S.C. 1412](#)(a)(21)(D))

A Message from the Executive Director

Dear Friends of the Governor's Advisory Council for Exceptional Citizens,

This past year has been one of learning and growth. I have often remarked that I have been living in the past, the present and the future- the past to understand the history of the GACEC and learn my role and responsibilities, the present to ensure I am maintaining the ongoing activities required to carry out my role and responsibilities and the future to ensure I am looking ahead at ways to adapt to the everchanging needs of the individuals the GACEC supports. I have worked closely with Council members and GACEC staff to put these pieces together and am very grateful for their knowledge and commitment to this work and their support of persons with disabilities and exceptionalities. I feel very privileged to work with this group of individuals and feel confident navigating the journey ahead with their continued support.

Agency Administration-

The building that houses the GACEC, Massey Station, continues to receive needed maintenance. The air conditioning units have been replaced, the columns and wood facades have been stripped and repainted and the roof is scheduled to be replaced in September. The Office of Management and Budget (OMB) and the Division of Facilities Management (DFM) teams have been an amazingly diligent, hard-working group. We are very grateful for their attention to preserving the history of the building and maintaining a safe and pleasant work environment for Massey Station occupants.

The security system installation for Massey Station has been completed. OMB/DFM, the Delaware Department of Technology and Information (DTI) and Advantech worked collaboratively to ensure the installation was completed and all moving parts work collaboratively. This has been a long, tedious process and we are very thankful for this group of individuals and their attention to detail.

The technology needed to support the work of the GACEC has been updated and enhanced. DTI installed Wi-Fi for staff and guests, provided additional equipment for staff to work more efficiently, supported a building-wide broadband upgrade and organized the rewiring necessary to support all new technology. The GACEC received American Rescue Plan Act (ARPA) funding for new audio-visual equipment in the conference room that will allow for Council members to meet remotely and in-person more efficiently. Installation for this system is underway and will be completed in September. The Joint Finance Committee (JFC) authorized a Microsoft Teams software package for Council members, and we are working with DTI to assist with logins where needed. Access to Teams will provide Council members and staff a space to work collaboratively on documents, convene virtual meetings and house documents and materials including professional development resources. We are very grateful for the support of the JFC and DTI and their investment in persons with disabilities and exceptionalities.

In my first several months in this role, I completed the training necessary to utilize the systems required to manage our budgetary responsibilities. With the help of GACEC staff, Chairperson Ann Fisher, and our budget analyst, I completed the required activities of the annual budget cycle including our OMB and JFC hearings. This year's GACEC budget includes the funding for a new casual/seasonal position. We are currently drafting the posting and hope to have a new staffer this Fall.

For the past year, GACEC staff have been working on updating current, internal agency policies, processes and guidance and working collaboratively to draft new ones. Although tedious, this work helps keep us on track and will assist us in training new staff.

Meeting and Maintaining Council Responsibilities-

The GACEC reviewed and provided feedback on several pieces of legislation designed to improve services and supports for persons with disabilities and exceptionalities. I am very proud to be a part of this work and look forward to working with our stakeholders and legislators to continue this work in the upcoming legislative session. For a more detailed report on this years' legislative engagement, please see the GACEC Committee reports, Legislative Activity and Regulatory Activity tracking charts included in this report.

GACEC staff have been busy working with Council members to review and revise policies, processes, and guiding Council documents to ensure language reflects current culture and practice. The By-laws Revision Ad hoc Committee is close to finalizing updated by-laws that will be voted on in the Fall. The Membership Committee has been working on several policies and processes designed to ensure Council members have the guidance needed to meet the GACEC's goals and ensure future appointments complement the current membership roster by filling any voids needed to better support the GACEC's constituents. You will read more about the impactful work of the GACEC's committees in the subsequent sections of this report.



*GACEC Executive Director, Pam Weir,
with Senator Chris Coons at a Best
Buddies Press Event*

To better understand and support the GACEC's role as the State Advisory Panel (SAP) under the IDEA, I participate in a national SAP/State Interagency Coordinating Council (SICC) workgroup. The SAP/SICC workgroup meets monthly and creates newsletters and webinars that address the needs of students with disabilities in K-12 special education programs, early intervention programs, and preschool. During my time with the workgroup, I have helped to create content, lead webinars and networked with my colleagues from other states. I will continue this work to ensure I have access to the information needed to support my role.

Over the past year, I have met with legislators, leadership from the Department of Health and Social Services (DHSS), the Department of Services for Children, Youth and Their Families (DSCYF), the Department of Education (DOE), and members of the State Board of Education and Delaware State Education Association (DSEA). These meetings and conversations have been invaluable, and I will continue to meet with high-level decision makers to ensure the voices of persons with disabilities and exceptionalities are represented.

I have also had the privilege to meet with children and families directly impacted by the services,

resources and supports the GACEC supports and advocates for. These are the meetings and encounters that really drive home the work of this Council and I will continue to seek out these opportunities to keep them in the forefront of what we do.

Looking Ahead-

This coming year will see a focus on getting out into the community more often as I hope we can put these Covid restrictions behind us. I will continue to focus on building Council's infrastructure by working with our committees to update the Membership Handbook, create professional development materials for GACEC Council members, and train new staff to help achieve Council's goals. I will continue to build relationships that help impact and support legislation that provides positive outcomes.

Navigating this post-Covid world is a challenge for all of us. Our community has seen a lot of change as cherished staff and friends across this field have retired after many years of invaluable service or decided to exit for other reasons. While these losses have created a great void, they have also ushered in new faces and future allies. This time of change provides great opportunity.

For those of you who are new in your role- feeling overwhelmed by the weight of what is at stake- I have one bit of advice: share the same grace and kindness with yourself as you show to others. It's hard to balance the real, immediate need of children and families while learning your ropes and advocating for systemic change. We will get there together! This is a community of dedicated, passionate people and there is nothing we cannot do if we work together!

I have the pleasure of working with two of the most amazing colleagues, Kathie Cherry and Lacie Spence, who have been extremely patient and generous with me as I learn all there is to know about the GACEC and I can't close out my section of this report without noting that again! Thanks so much ladies!

Yours in gratitude and hope,
Pam Weir

A Message from the Chairperson

As I reflect on the past year it was a very busy one for Council as we continue to navigate the new normal, a world with Covid. Your continued vigilance on behalf of Delawareans with exceptionalities is commendable! It has been humbling to witness everyone's enduring passion and commitment to Council. Words cannot fully express my gratitude for your hard work and dedication during this continually confusing and stressful time.

I am very pleased to announce that the JFC authorized some much-needed accessibility upgrades for us at Massey Station. We will be able to offer hybrid meetings when we return to in person meetings, with our new Wi-Fi system. Other upgrades include two large screen monitors and a comprehensive audio system. Improvements to safety have also taken place with the installment of a new security system.

On a personal note, I would like to congratulate Pam Weir on completing her first year, of many I hope,

as Director of the GACEC. She jumped right in with both feet and as a testament to her fortitude is still with us. It has not always been easy for her as Wendy Strauss was a tour de force, but Pam has demonstrated the skill and know-how to keep the GACEC moving forward better than ever! It is with a heavy heart I say a fond farewell to Terri Hancharick. After many years as a faithful member of the Council she is moving on in order to continue to do important work with the non-profit she started as well as welcoming her first grandchild! This is an exciting time for her, and I wish her the best. I would like to welcome new members Jessica Heesh-Mensack, Molly Merrill, Meedra Surratte and Erik Warner to Council. I would also like to thank members who are no longer serving with us for their time on Council. I wish them all the best in their new endeavors. I am sorry to say goodbye to Robert Overmiller, Mary Ann Mieczkowski and Terri Hancharick. I thank them all for their service to individuals with disabilities in Delaware and to the GACEC.

In closing, as a Council, we have reviewed, commented on, and advocated for legislation and regulatory changes that will positively impact the lives of Delaware citizens with exceptionalities across their life spans. The continuing uncertainty of the times has only made us more vigilant in our efforts to ensure that our citizens are not forgotten or marginalized. I look forward to continuing this important work with all of you as well as the dedicated staff of the GACEC!

Yours in service,
Ann C. Fisher

Council Goals

GOAL 1: To improve outcomes for students with exceptionalities by monitoring and supporting the implementation of the Annual Performance Report mandates, the State Systemic Improvement Plan, State Professional Development Grant, the Every Student Succeeds Act, the Delaware Department of Education (DDOE) Special Education regulations and the United States Department of Education special education regulations.

GOAL 2: To improve outcomes for students with exceptionalities by monitoring, advocating and advising for the delivery of evidence-based special education and related services in the least restrictive and natural environments.

GOAL 3: To improve the quality of life of citizens with exceptionalities by reviewing, advocating and advising for funding, policies and programs that positively impact their access to inclusive childcare, health, independence, community living, employment and recreation.

GOAL 4: To improve legislation, funding, policies and procedures, and programs and services for citizens with exceptionalities by effectively communicating and collaborating with legislators, agencies, councils, stakeholders and other relevant entities.

GOAL 5: To improve the self-determination and empowerment of students with exceptionalities by advising and advocating for their inclusion in all of the Local Education Agencies' (LEAs') and Delaware Department of Education's (DDOE's) reform and accountability initiatives in which other stakeholders

participate.

GOAL 6: To advocate and advise for the recovery of learning lost by students and to enhance the emotional well-being of students, their parents, educators and administrators as a result of the COVID-19 pandemic by (a) investigating the nature and degree of that impact, (b) evaluating the policies and activities of the LEAs and DDOE in response to that impact, and (c) advocating for responsive and improved structural elements, policies and activities.

Infant and Early Childhood Committee Report

Chairperson: Jennifer Pulcinella

Vice Chairperson: Jessica Mensack

Committee Members: Ann Fisher, Kristina Horton, Molly Merrill, Lindsay Williamson

FY 2022 Committee Goals:

1. To advise and monitor the State Performance Plan/Annual Performance Report: Part C for the State Formula Grant Programs SSP/APR under IDEA, as well as the recreating of the B23 data system.
2. Monitor and advise the updating of the Delaware Stars program to advocate for inclusion and appropriate accommodations for kids with exceptionalities.
3. Advise and advocate for proper unit count classification for children with exceptionalities in the LEAs.
4. To communicate and collaborate with outside committees/councils that have been integral to the B23 process for the purpose of reviewing, advocating, and advising on the issues currently effecting children Birth – 5 with exceptionalities
5. Monitor, review, and advocate for children 3-5 to assure they are receiving appropriate (FAPE) services in the LRE.
6. To advise and advocate on the creation and performance of the proposed Part C Transition (from DHSS to DDOE) Stakeholder Team



With the onboarding of our new Executive Director Pam Weir, we were off to a good start. Pam came to us from the Birth to Three side of the child with



exceptionalities life and was very active in the early months. Outside of monthly meetings, members of the Committee attended ECIC meetings (Goal 4) to have the most up to date information on the early childhood fields. “The Early Childhood Inclusion Committee (ECIC), formerly EIEIO, is a subcommittee of the Delaware Early Childhood Council (DECC), devoted to quality inclusive early childhood programs and services. This group of early childhood stakeholders meets monthly to carry out the recommendations of the U.S. Department of Health and Human Services and U.S. Department of Education Policy statement on Inclusion of Children with

Disabilities in Early Childhood Programs.” <https://www.doe.k12.de.us/Page/3656>

Through this contact, we learned that The Stars revision ([QRIS Revision Reference Materials - Delaware Stars \(udel.edu\)](https://www.udel.edu/stars)) had been paused, and that ultimately, there would be an alignment of the standards of care, such as those used by Head Start, with the Office of Child Care Licensing (OCCL), Early Childhood Assistance Programs (ECAPS) and Stars Centers. (Goal 2) We support the work that the ECIC is doing and look forward to future collaborations. They are strong advocates for implementation of rolling data points for 3-year-olds entering schools. This is the only age where children will be entering school at different times of the year and a unit count on 9/30 may only pick up 1/3 of the students, they end up having in June. (Goal 3)

Additionally, the teacher ratio needs to align with the Delaware code. “For funding purposes, the following conditions shall prevail for the calculations of the number of units for children with disabilities and all other children. The preschool unit shall be 1 unit for 12.8 students. The intensive special education (intensive) unit for preschool through grade 12 shall be 1 unit for 6 students. The complex special education (complex) unit for preschool through grade 12 shall be 1 unit for 2.6 students.” (<https://delcode.delaware.gov/title14/c017/index.html>). (Goal 5) House Substitute 1 for House Bill 144 would have taken care of this in that “This Act increases funding for preschool children with disabilities who are not counted in either “intensive” or “complex” special education units by revising the current ratio of 12.8 students per unit to 8.4 students per unit for children 3 years of age and older enrolled in a preschool program. This is the same ratio that will be in effect for K-3 basic special education after the passage of HB86 in 2021. The Act also creates a new “preschool 2” unit with a ratio of 7 students per unit. This is to accommodate 2-year-olds with disabilities who are enrolled in school district programs. The Office of Child Care Licensing requires a 1:7 ratio for classrooms that have 2-year-olds in them. The preschool funding change is effective July 1, 2022.” ([Bill Detail - Delaware General Assembly](#)) Unfortunately, the bill did not pass during this legislative session.

925 Stakeholder Meetings held by the Exceptional Children’s Resources were attended by members of the Committee where we participated in the input and review of changes that they hope to have enacted by next school year. ([925 Children with Disabilities Subpart D, Evaluations, Eligibility Determination,](#)

[Individualized Education Programs \(delaware.gov\)](https://delaware.gov)

We spent a few meetings per Pam, reviewing responses from DDOE to the Council concerning the Part B Indicators. Indicator 5 – Least Restrictive Environments: Indicator 6 – Preschool LRE: Indicator 7 – Preschool Outcomes: Indicator 8 – Parent Involvement: Indicator 11- Child Find: and Indicator 12 – Transition C to B (Early Childhood Transition) We received many presentations from the Exceptional Children’s Resources Representative during full Council meetings on the indicators and what the new goals were going to be. Our questions and responses are noted in the monthly meetings and correspondence. (Goal 1) Outside of regular meetings, members attended meetings held by Birth to Three, as they set the upcoming goals for the next five years for the indicators for Part C. Kristina Horton and Hope Sanson ([Delaware Data - Delaware.gov: Official Website of the State of Delaware | Delaware Open Data Portal](https://delaware.gov)) were very thorough in their reviewing of the Part C Indicators. A group of stakeholders was gathered and time was taken to assure that the final choices made on goals were satisfactory with all. When some changes were asked for, all were consulted. Kristina Horton has thankfully taken the position of Transition Coordinator and we look forward to continued collaborations as Birth to 3 moves from DHSS to DDOE in the upcoming year.

The transition of Birth to 3 is going to be a very big move and we’re keeping in the loop by joining with the ICC and their Transition Team. The GACEC Infant and Early Childhood Committee is focused on the child with exceptionalities from birth to 5 and looks forward to the opportunity to advise on this program transition. We’d like to see a cohesive, birth to five, early intervention program that includes a comprehensive data system that meets the needs for data collection, reporting, sharing and use of data across agencies and partners. (Goal 6)

Children and Youth Committee Report

Chairperson: Bill Doolittle

Vice Chairperson: Karen Eller

Committee Members: Al Cavalier, Cory Gilden, Tika Hartsock, Maria Olivere, Trenee Parker, Jill Scannell, Matt Denn

FY 2022 Committee Goals:

1. Collaborate with other stakeholders (PIC, SESPAC, etc.) in promoting systemic improvements intended to increase effectiveness, efficiency, and equity in meeting the needs of students with disabilities.
2. Monitor the progress towards implementation for additional equitable and appropriate funding for students in K-3 to the 8.4 to 1 unit ratio who are identified in the Basic category. Advocate to legislators, DDOE, the Governor's office, and other stakeholders about the critical need for this fund for the passage of the K-3 Basic funding bill to include the special education K-3 Basic category in DE Code Title 14 Chapter 17 Section 1703 Unit of Pupils.
3. Monitor progress towards improving availability of speech-language pathologists (SLP) in Delaware schools. Develop and support strategies to improve the yield of Delaware school based SLPs from the UD

SLP program.

4. Monitor federal delay in implementation of new disproportionality measures and encourage establishment of data tracking and reporting ahead of the federal requirement.
5. Monitor and support appropriate inclusion policies and practices, including coordination with the Early Childhood committee and the foster care community and including data tracking to improve effectiveness and coordination of support for children birth through age 21.
6. In keeping with budget bill HB225 for FY 2020 Epilog Section 357, monitor the Certified Earned unit's protocol. Specifically, for FY20 in collaboration with the Policy and Law Committee, monitor to see if the protocol is adequate to determine if special education funding is following the child as required by Delaware Code.
7. Advocate for a comprehensive collection and analysis of special education funding data, including supporting the legislative task force bill re-up.
8. Establish a system to catalog and monitor both required and requested state and federal reports. Review reports for compliance and system improvement information opportunities.
9. Advocate for more transparency on the method by which new schools (special schools) are proposed and approved, with regard to commentary by GACEC.
10. Recovery services; fidelity

The Children and Youth Committee spent time reviewing their annual goals and discussing the breakthroughs they have made. In November, the committee met with Maria Locuniak and Mary Ann Mieczkowski to review Indicators 11, 15 and 16. The Children and Youth Committee discussed the need to review the current status of the Restraints and Seclusions in January. The group reported that an Educational Equity Council has been proposed, which the GACEC would have a seat on. They hope this will provide an opportunity to have better access to data and address some of the issues around the equity settlement. In February, the Children and Youth Committee noted that there was a diversion of education funding as a result of the budget smoothing process. They recommended that the Council look into this closely. In March, the group requested DDOE data for related services data and classroom composition data. The Children and Youth Committee also requested a copy of the mid-year unit count. The Committee gained support from full Council to approve the language for the special education funding taskforce resolution. During their



May meeting, the committee discussed ways to improve or tailor the way they receive data from DDOE to have a better understanding of where there are unmet needs. In June, the committee discussed the presentation from Brian Moore, the Program Manager of the DDOE Office of School Climate and Discipline. They requested a report from Brian Moore on the impact of the AG reports on students with Individualized Education Programs (IEPs).

Adult Transition Services Committee Report

Chairperson: Thomas Keeton

Vice Chairperson: Erik Warner

Committee Members: Nancy Cordrey, Terri Hancharick, Meedra Surratte

FY 2022 Committee Goals:

1. Advocate for a checklist on the IEP to ensure parents are given all options for guardianship and request an in-service to be included for staff on guardianship options.
2. Advocate for inclusion of accessible parking laws and rules in Driver's Education program and manual.
3. Review information on the Delaware Disability Hub (DelDHub) transition website to ensure relevant, up-to-date information and resources on transitioning are provided efficiently and effectively.



*Trenee Parker, GACEC member
And Director, Division of Family
Services*

In January, Trenee Parker, Director, Division of Family Services, provided an overview of House Bill 123. The bill is a waiver of tuition and fees to earn an Associate Degree at Del Tech, Delaware State, or the University of Delaware for Foster Care students. It is for students who have spent significant time in the Foster Care system. The legislation provides for waiver of tuition, books, fees, housing, and a meal plan. The goal is for students to graduate debt free. The housing and meals are for 12 months, not just the school year since those are 2 things which a child in Foster Care would need security with. Since Del Tech does not have housing, resources are identified and provided to accommodate the student with housing and meals. There is further discussion to find a way to provide these options at Goldey Beacom and Wilmington University. If a student needs to take a gap year after high school graduation, the program allows for participation in the program after that gap year. Students must maintain academic progress like any other student. The program becomes active for the

Spring 2022 semester. Representative Griffith was the bill sponsor. Another Bill related to Foster Care just came out of Committee, House Bill 271, which is an attempt to extend support for transition support from age 21 to 23 to become an independent adult.

In February, Patricia L. Keeton, Director VA State Approving Agency/Ed. Associate for Private Business & Trade Schools, provided an overview of her research on special needs students and special education

students taking CTE courses. The research identified a lack of special education support in Career and Technical Education (CTE) classes. A Delphi Expert panel suggested adding special education training for CTE teachers to increase special education knowledge of the CTE teachers. The panel also suggested CTE teachers have the same support for special needs students as core teachers.

In April, Dale Matusevich, Education Associate for Secondary and Transition Services [at that time], DDOE, provided an update on IEP elements. For the last 14 years the IEP has had a Yes or No box on it. Mr. Matusevich is working to obtain more feedback on why parents are declining services, as there is no place on the form to state why services are being declined. Data is available but has not been analyzed yet. Power School can pull the box checks to provide numbers for an initial look. A strategy should be developed to guide the parent's declining reason discussion. Two to three years ago, student participation with DVR for Pre-Employment Transition Services was added. Very few students are taking advantage of this. Schools still need to be educated about what it is. There are five available services and they could be added to the form, which would allow identification of the services received. Marissa Band at Delaware Community Legal Aid Society (CLASI) is working on revisions for the six different options on when Transfer of Rights is determined. The options should be explained before the parent checks the box. The decision must be made one year before the age of majority (18). DDOE is working to make the wording clearer so that the decision point is not missed. This conversation has been occurring too late.

In June, Maureen Whelan, Director of Adult and Prison Education, DDOE, provided an update of educational services to inmates supervised by the Delaware Department of Correction. Ms. Whelan shared that the Howard R. Young Correctional Institution has more special education students than the other three Level V prisons. Most of those students are detainees, which means they are awaiting sentencing. Prison Education provides services for levels from K-12 and post-secondary. Programs include GED, High School Diploma, and certified vocational programming. During FY21, five regular high school diplomas were earned, and two alternative Diplomas were earned. DOE has a staff size of 42 in Prison Education, with 36 active teachers.

Policy and Law Committee Report

Chairperson: Beth Mineo

Vice Chairperson: Erika Powell

Committee Members: Genesis Johnson, Brenne' Shepperson, Laura Waterland

FY 2022 Committee Goals:

1. Review and comment on Medicaid funding, including programs and system for processing requests for all individuals with special needs. Send comments to DMMA and Medicaid.
2. Review and comment on proposed DDOE regulatory changes. Send comments to DDOE, State Board of Education and Professional Standards Board for discussion at the State Board of Education meetings.
3. Provide commentary on school discipline regulations and collaborate with the DDOE on improving Annual Performance Report Indicators relating to discipline.

4. Identify, review and provide comments on memoranda of understanding, inter-agency agreements, legislation and regulations. Send comments to the lead agency in the memoranda with copies to the other agencies involved.
5. Encourage collaborative efforts between committees, particularly in working with the Policy and Law Committee on issues of particular interest to individual committees.

This year the Policy and Law Committee, in addition to analyzing and providing input on DDOE annual performance report indicators, was able to analyze and review legislation proposed at Legislative Hall. Policy and Law Committee members reviewed and discussed the impact of 17 bills and 25 regulations on individuals with exceptionalities in Delaware as their main committee goal. The full list of those bills and regulations, along with responses and outcomes, may be found in the appendices at the end of this annual report. A few of the bills that the GACEC provided commentary on that have been signed by the Governor to date will be highlighted here.

House Bill No. 271 Services for Young Adults Aging out of Foster Care – The GACEC supported this bill that proposed a revision of existing portions of Delaware Code pertaining to services provided by the DSCYF and its Division of Family Services (DFS) to young adults aging out of foster care. One of the effects of this bill would be expanded options for financial support and longer-term stability for this population. Council supported this legislation, as it will undoubtedly affect young adults with disabilities. The legislation was signed by the Governor on May 3, 2022.

House Bill No. 300 Middle School Mental Health Services was the first of several bills impacting mental health services, especially in schools. House Bill No. 300 proposed the creation of mental health services units for school districts and charter schools serving students in middle school, grades 6-8. The bill would also provide increasing funding for social workers or counselors each year from 2023 to 2025. Council supported the bill but recommended the legislation be amended to provide more funding based on demonstrated need above the ratios established in the bill. As written, if a school district or charter has greater need for mental health supports than the required ratios in this bill and is already funding mental health support at these ratios, that school district or charter school would not benefit from this funding. The bill was signed by the Governor on August 3, 2022.



House Bill No. 301 Statewide School Mental Health Education Programs requires “The Department of Education [to] establish and implement statewide mental health educational programs for each grade [K-12] in each school district and charter school in this State.” Council applauded the motivation behind this legislation but shared concerns that the educational programming could end up being stigmatizing if not structured appropriately. For example, many people equate disabilities with illness/absence of health. Speaking of “physical health” may be misconstrued to mean absence of disability. Council also recommended legislative language be added to specify that the educational programming must be research-based and evidence-based. This bill was also signed by the Governor on August 3, 2022.



House Bill No. 303 Required Insurance Coverage of Behavioral Well Checks – This legislation would require all insurance carriers in the state to provide coverage for annual well visits for behavioral health. The coverage is mandated in all plans, including group plans, Medicaid, and plans for State government officers and employees. Council applauded the intention of this legislation to make access to behavioral health services more straightforward and affordable but noted that the bill could be even stronger if it were to specify that at least one member of the advisory committee to be created have expertise relative to individuals who are dually diagnosed with intellectual disabilities and mental health challenges. Council also noted how important it would be to ensure that adequate resources are available to conduct the annual visits. In the advent of the new coverage, it will be very important to wage a public awareness campaign to ensure that those who will benefit are made aware of these new developments. This legislation was signed by the Governor on August 3, 2022.

House Bill No. 454 Special Education and Related Services Eligibility amends Chapter 31 of Title 14 to bring Delaware in compliance with its duties under the IDEA. It ensures students with disabilities eligible for special education and related services are provided a free appropriate public education until August 31 after the school year in which the student turns 22. Council supported the legislation and offered one recommendation to make a slight change to 14 Del. C. §3101(6), which is the definition for students identified as gifted and talented. These students, under HB 454, would still have eligibility end on August 31 after the school year in which they turn 21. This should be changed to 22 to ensure Delaware State law is fully consistent and compliant with the IDEA, which is federal law. Council also encouraged legislators to push the bill through the Legislature as quickly as possible to ensure its passage prior to the end of this legislative session. This would ensure that students who would otherwise lose eligibility for special education and related services on August 31, 2022, would be able to remain in school and receive their much-needed services for an additional year. This bill was signed by the Governor on July 22, 2022.

Membership Committee Report

Chairperson: Al Cavalier

Vice Chairperson: vacant

Members: Karen Eller, Jessica Mensack, Jennifer Pulcinella

New GACEC Members appointed during FY 21/22: Jessica Mensack, Molly Merrill, Meedra Surratte, Erik Warner

The major activities of the Membership Committee (MC) during FY 21/22 are described below.

- a.** The MC, with Staff support, revised the Member Handbook for use both as a training tool in onboarding new members and as a resource manual for current members.
- b.** The GACEC Staff and MC planned and conducted a Member Orientation Session on 09.30.2021 that covered key points in the Member Handbook, such as the role of the GACEC, the process by which a bill becomes a law in Delaware, the Delaware budget process, the Delaware Disability Hub, Disability History and Awareness Month, and a presentation on Ethics in Government by Deborah J. Moreau, Esq., of the Public Integrity Commission.
- c.** The MC, with Staff support, created and refined a set of Membership Application Guidelines that include: (a) a procedure for review of new applications that are submitted to the Governor for appointment to the Council, (b) a set of criteria to use in that procedure to evaluate the applications, (c) a Prospective Member Questionnaire to obtain information from applicants to facilitate in the reviews, and (d) a Prospective Member Interview Protocol to provide consistent structure to interviews of applicants to facilitate the reviews. The Membership Application Guidelines and associated documents were approved by the Council.
- d.** Al Cavalier and Pam Weir collaborated with Ms. Lori James, Director of the Delaware Office of Boards and Commissions (B&C) to discuss the respective GACEC and B&C protocols for review of new applications for membership on the GACEC and to agree on a revised sequence consisting of review and recommendation by the GACEC prior to review and final decision (including possible appointment) by the Governor.
- e.** To help the public recognize that the GACEC is comprised of “real” persons and know who those persons are – that is, to personalize the Council – and to allow GACEC members to know each other better and know the areas of interest and expertise that each person brings to the GACEC, the MC developed guidelines for members to write their Biographical Sketches. A bio sketch will describe briefly who that Council member is and will explain the aspects of their life that are relevant to the work of the Council, that is, their experiences with and expertise in the lives of children, youth, and adults with disabilities and exceptionalities and their families. The objective is to post these sketches along with photos of the members on the GACEC website and social media pages and the goal is to create an increased sense of “community” among members and the public as we do our work on behalf of citizens with exceptionalities. The requesting, writing, and posting of bio sketches were approved by the Council.
- f.** The MC, with Staff support, developed a Member Questionnaire to be sent to GACEC members at least annually to obtain basic information on members’ contact information, advocacy interests and concerns, and connections to other disability-related agencies and organizations. Use of the Member Questionnaire was approved by the Council.

g. The MC contacted service programs in the state to invite adult self-advocates to submit membership applications to the Governor for possible appointment to the GACEC.

GACEC Bylaws Revision ad hoc Committee

Chairperson: Al Cavalier

Members: Bill Doolittle and Patricia Davis

- Patty Davis is the Deputy State Solicitor of the Delaware Department of Justice and was appointed to the By-Laws Ad hoc Committee (BAHC) as an external (to the Council) member because of her special expertise.
- The BAHC met four (4) times during the summer to examine the adequacy of the current Council by-laws in terms of both their comprehensive of coverage of relevant issues and their clarity of guidance on those issues.
- In the process of proposing, discussing, drafting, and approving (for Council's consideration) revisions to the current by-laws, the BAHC considered the following versions of the Council's by-laws:
 - "2016.04.19 GACEC By-laws FINAL"
 - "2019.04.25 GACEC By-laws draft"
 - "2019.04.25 GACEC By-laws draft with Deputy Attorney General comments"
 - "2019.03.05 GACEC By-laws draft for council review 8-06-19"
 - "2019.03.05 GACEC By-laws draft for council review 8-06-19" with Overmiller comments
 - "2019.03.05 GACEC By-laws draft for council review 8-06-19" with Ramirez comments
- The Chairperson is currently incorporating the recommended edits that were approved at the last committee meeting and then will send the new draft of the by-laws to committee members for final review and approval before submitting the proposed revised Council By-Laws for consideration by the Council in the Fall.

Highlights and Collaborations

Annual Retreat

The GACEC held its Annual Fall Retreat on October 9, 2021, in a hybrid format as part of the Council's planning activities for the upcoming year. Retreat participants included Council members, as well as Mary Ann Mieczkowski, Director of Exceptional Children Resources (DDOE), who presented on Indicator 8 – Parent Engagement; Regulations Update; Stakeholder Involvement in SPP/APR; and MTSS; Delaware's Annual Determination. There was also a District Personnel Report regarding the continued impact COVID-19 has had on education. The Council heard from Michelle Allman, Special Education Director of the Laurel School District, Rachel Gibson, Assistant Principal of the Woodbridge School District, and Lisa Lawson, Assistant Superintendent of the Brandywine School District.

GACEC's Collaborative Efforts with Other Organizations and Agencies to Promote Education and Awareness

- The GACEC **wrote more than 1350 letters** to the Governor, Legislators, the DDOE, and other agencies to advise and advocate on behalf of individuals with disabilities and their families.
- **LIFE Conference Design Team** - The annual statewide LIFE Conference seeks to assure that persons with disabilities in Delaware have full access to supportive Legislation, Independence, Family support services and Education. Executive Director, Pam Weir and Office Manager Kathie Cherry are members of the LIFE Conference Design Team. The team is also comprised of representatives from the Developmental Disabilities Council (DDC), SCPD, DHSS, Delaware Public Health (DPH), Easter Seals, DMMA, DDOE and DCADA. The 2021 LIFE conference was attended virtually by **344** people over three days, September 15, 21, and 22, 2021. Due to the continuing COVID-19 pandemic, the 2023 LIFE Conference will be held virtually on January 18 & 19, 2023.
- Office Manager Kathie Cherry is a member of the **SCPD Policy and Law Committee**. This committee reviewed and/or provided commentary on **more than 120** proposed or final regulations, state legislations, Federal bills, and many other policies which impact persons with disabilities.
- **Project Search**- Council member Erik Warner is an instructor for Project Search Bayhealth and invited Pam Weir to participate in the monthly celebrations for interns' accomplishments. Lacie Spence and Pam Weir attended the Project Search Bayhealth program graduation in May.
- **SCPD Brain Injury Committee (BIC)** - Executive Director Pam Weir and Administrative Coordinator Lacie Spence are members of the SCPD Brain Injury Committee (BIC). Committee members worked on activities designed to improve the lives of Delawareans with brain injury by providing the following: 1) a forum for the sharing and analysis of information; 2) a network to identify and facilitate acquisition of enhanced resources; 3) a technical assistance provider to educate public and private policymakers; and 4) an advocacy agency to promote a consumer oriented, effective injury and prevention service delivery system.
- **DOE Special Education Leadership Workgroup** - The workgroup is comprised of Special Education Directors and Coordinators and meets to discuss trends and issues in the field. GACEC staff attended the statewide meetings of this workgroup to monitor what is happening with special education in Delaware, as well as to provide input.



Dr. Erik Warner, GACEC member and Project Search instructor; Pam Weir, GACEC Executive Director; Lacie Spence, GACEC Administrative Coordinator; and Kathleen Stephan, Associate Principal of Kent County Community School at the Project Search Bayhealth Graduation Ceremony

- **Interagency Coordinating Council (ICC)** - The ICC focuses on early childhood issues. This year Pam Weir and other members of Council attended meetings to provide information and keep up to date on new information regarding early childhood issues. The GACEC and ICC held their first joint meeting in April of this year.
- **Access to General Education Curriculum (AGEC) Workgroup** - This group focuses on assessment and inclusion issues for students in special education. Office Manager Kathie Cherry attends the meetings of this workgroup to provide input from her perspective as a parent, as well as a representative of the Council.
- **Disability History and Awareness Month Activities** – 2021 marked the 11th year for the GACEC's Disability History and Awareness Month efforts and activities. The GACEC distributed "All my Different Friends at School" books to early childhood providers. Due to the pandemic, the Annual Poster Contest was cancelled for the year.
- **Center for Disabilities Studies (CDS) Community Advisory Council (CAC)** - The CDS is supported in its work through the contribution of its Community Advisory Council (CAC). The CAC is composed of individuals with developmental and related disabilities; family members of individuals with developmental disabilities; representatives from disability-related training, service, and advocacy organizations; representatives from state agencies; and other disability advocates. Meetings of the CAC are held four times a year. Executive Director, Pam Weir, is a CAC member.
- **Special Education Strategic Planning Council (SESPAC)** – Pam Weir and Lacie Spence are currently members. Meetings are attended regularly to facilitate collaboration with this work group on issues relevant to students with disabilities. In addition, Council member Bill Doolittle is the current Co-chair of the SESPAC. Council members Tika Hartsock, Jennifer Pulcinella and Erika Powell are also members.
- **Every Student Succeeds Act (ESSA) Advisory Panel** –The panel meets quarterly to discuss implementation of ESSA in Delaware. The panel is hosted by the DDOE and is attended by district personnel, DDOE staff, as well as Representative Kim Williams.
- **Best Buddies Delaware**- Pam Weir was invited by the Office of Senator Chris Coons to attend a press event to share the news that he had secured a \$215,000 grant to fund school-based inclusive activities for Best Buddies Delaware. Pam is working with Best Buddies Delaware to share information about the program and enhance collaborative partnerships that promote inclusion.
- **U.S. Office of Special Education Programs (OSEP)**- Pam Weir is a member of the national OSEP-supported SAP/SICC workgroup designed to support states' implementation of IDEA. Pam, along with other workgroup members, presented a session July 18th during OSEP's July Leadership Conference.

Additionally, the following are some of the organizations and committees that GACEC members and staff are involved with on a recurring basis. These groups assist the Council with interagency collaboration and coalition building.

- American Association of University Women
- American Counseling Association
- Art Therapy Express
- Autism Delaware
- Behavioral Health Collaborative
- Brain Injury Committee (BIC)
- Correctional Education Association
- CPAC- Child Protection Accountability Commission
- Delaware and National Council for Exceptional Children (CEC)
- Delaware State Teachers Association
- Delaware Association of School Administrators
- Delaware Counseling Association
- Delaware Early Childhood Council
- Delaware Families for Hands and Voices
- Delaware Family Support Coordinating Council
- Delaware Healthy Mothers & Infant Consortium (DHMIC)
- Delaware Parent Teacher Association (PTA)
- Delaware State Network of Educators
- Department of Education, Exceptional Resources Special Education Group
- Department of Education, Every Student Succeeds Act workgroup
- Department of Labor Vocational Rehabilitation Advisory Committee
- Developmental Disabilities Council (DDC)
- DOE Transition Council
- Dover Air Force Base Exceptional Families Resources Program
- Division of Service to Aging and Adults with Physical Disabilities (DSAAPD)
- DVRC For Visually Impaired Council
- DVRTF (Delaware Victims' Rights Taskforce) Disability Committee
- Employment First Initiative Oversight Commission
- Endless Possibilities in the Community (EPIC)
- Early Childhood Inclusion Committee (ECIC)
- Family SHADE
- Governor's Advisory Council for Aging and Disabled Persons (GACADP)
- State Health Operations Center Functional Information and Support Center (SHOCFISC)
- Delaware Access and Functional Needs (DE AFN)
- Governor's Commission on Building Access to Community-Based Services (GCBACS)
- Governor's Commission on Employment of People w/Disabilities
- Health Care Commission Disability Health Equity Sub Committee
- Hearing Loss Association of Delaware (HLADE)
- Interagency Coordinating Council (ICC) for Part C of IDEA

- LIFE Conference Design Team
- Mobility in Motion
- National and Delaware Chapter of Hands and Voices
- National Association for the Education of Young Children
- Parent Information Center of Delaware (PIC)
- Persons with Access, Functional and Medical Needs
- Protection & Advocacy of Individual Rights (PAIR)
- Respite Care Committee
- State Council for Persons with Disabilities (SCPD)
- SCPD Policy and Law Committee
- Special Education Strategic Planning Committee
- State Systemic Improvement Plan (SSIP)
- SSIP Early Childhood Part C Collaboration Implementation Team
- Sussex Early Childhood Council
- Sussex Inter-Agency Council
- Trauma Informed Care Interest Group
- University of Delaware Center for Disabilities Studies (CDS) Community Advisory Council (CAC)

Thank you to our 2021-2022 Presenters and Speakers

Michelle Allman, Laurel School District	Matthew Ritter, DNREC Parks and Recreation
Rachel Gibson, Woodbridge School District	Jody Roberts, DDDS
Lisa Lawson, Brandywine School District	Lynda Lord, DDDS
Mary Ann Mieczkowski, DDOE	Michelle Jackson, DDOE
Cindy Brown, DDOE	Patricia L. Keeton, DDOE
Joyce Leatherbury, DDOE	Brian Moore, DDOE
Dale Matusevich, DOE	Stacey Watkins, DDDS
Maria Locuniak, DDOE	Daniel Madrid, Office of the State Treasurer
Jalee Pernol, DDOE	Maureen Whelan, DDOE
Barbara Mazza, DDOE	Lauren Irwin, DDOE
Susan Veenema, DDOE	Debbie Boyer, University of Delaware
Trenee Parker, DSCYF	

GACEC Staff

Pam Weir, Executive Director (center)

Kathie Cherry, Office Manager (right)

Lacie Spence, Administrative Coordinator (left)



GACEC Membership List 2021-2022

Al Cavalier	Beth Mineo
Nancy Cordrey	Maria Olivere
Matt Denn	Trenee Parker
Bill Doolittle	Erika Powell
Karen Eller	Jennifer Pulcinella
Ann Fisher	Laura Waterland
Cory Gilden	Jill Scannell
Terri Hancharick	Brenne' Shepperson
Tika Hartsock	Meedra Surratte
Jessica Heesh-Mensack	Erik Warner
Kristina Horton	Laura Waterland
Genesis Johnson	Lindsay Williamson
Thomas Keeton	Molly Merrill
Mary Ann Mieczkowski	

Special Note..



Terri Hancharick with daughter, Brigitte.

Long time GACEC member and tireless advocate, Terri Hancharick, retired from her appointed position on the GACEC in August to spend more time with her family and first grandchild. We will feel the loss and wish her well as she starts her new chapter as a grandmother. Terri assures us she won't be far away and plans to continue to participate with the GACEC as time allows. We will hold her to it!

Thank you, Terri, for being such a wonderful advocate and inspiration to us all!

I thought I would have to teach my daughter about the world...It turns out I have to teach the world about my daughter...

Bill Number	Summary and Council Action	Status
Senate Bill No. 210 ABLE Act Statute Amendment	Synopsis: The proposed bill amends the state ABLE plan to bring it into compliance with the final federal regulations published in November 2020. 85 FR 74010. Because of the federal regulations, this bill to amend the Delaware ABLE plan is required to be in compliance with the regulations. Council Action: Letter sent to the General Assembly endorsing the legislation.	Signed by the Governor April 28, 2022
House Bill No. 271 Services for Young Adults Aging Out of Foster Care	Synopsis: This bill proposes to revise existing portions of the Delaware Code pertaining to the services provided by the Department of Services for Children, Youth & Families (DSCYF) and its Division of Family Services (DFS) to young adults aging out of foster care. Council Action: Letter sent to the General Assembly endorsing the legislation.	Signed by the Governor May 3, 2022
House Bill No. 311 Amendment to the Delaware Equal Accommodations Statute (DEAL)	Synopsis: The proposed Bill amends Title 6 Chapter 45, the Delaware Equal Accommodations Statute (DEAL). The Act clarifies the scope and protections for individuals with disabilities and further aligns definitions and the scope of DEAL with federal law, including the Americans with Disabilities Act (ADA). Council Action: Letter written strongly endorsing the legislation.	Passed on June 22, 2022 Ready for Governor Action
House Bill No. 315 Unit Funding for Substitute Teachers	Synopsis: The proposed Bill would provide unit funding for full time employees who shall be hired to provide permanent substitute teaching support in Delaware schools. The bill also provides professional development requirements for those hired into these positions and creates a pathway to teaching to those individuals who meet the requirements for an emergency certificate. Council Action: Letter written expressing concerns.	Signed by the Governor August 4, 2022
House Bill No. 317 Cover All Delaware Children Act	Synopsis: The proposed Bill would provide medical coverage to children who reside in Delaware, regardless of their immigration status. These are children who are not eligible for Medicaid or other medical coverage Council Action: Letter written endorsing the proposed legislation	Assigned to House Appropriations Committee on March 10, 2022

Bill Number	Summary and Council Action	Status
House Bill No. 324 Criminal Penalties for Assault of Health Care Workers	Synopsis: The proposed legislation would broaden the statutory definition of assault in the second degree at 11 Del. C. § 612 to include qualifying offenses committed against a wider range of health care workers Council Action: Letter written sharing observations and concerns	Signed by the Governor June 30, 2022
House Bill No. 314 Mandatory Sentences for Juveniles Amendment	Synopsis: The amendment will clarify that a 6- or 12-month mandatory commitment to Level 5 incarceration or institutional confinement for a juvenile only applies to adjudications of delinquency for the charge of Robbery First Degree or Possession of a Firearm During the Commission of a Felony if the offense was committed <i>after the child's 16th birthday</i> . Council Action: Letter written supporting the proposed legislation and offering recommendations	Passed on June 29, 2022 Ready for Governor Action
House Bill No. 303 Required Insurance Coverage of Behavioral Well Checks	Synopsis: The proposed legislation would require all insurance carriers in the state to provide coverage for annual well visits for behavioral health. The coverage is mandated in all plans, including group plans, Medicaid, and plans for State government officers and employees Council Action: Letter written endorsing the proposed legislation and offering suggestions.	Signed by the Governor August 3, 2022
House Bill No. 301 Statewide School Mental Health Education Programs	Synopsis: The proposed Bill would require "The Department of Education [to] establish and implement statewide mental health educational programs for each grade [K-12] in each school district and charter school in this State." Council Action: Letter written in support of the legislation and offering observations.	Signed by the Governor August 3, 2022
House Bill No. 300 Middle School Mental Health Services	Synopsis: The proposed Bill would create mental health services units for school districts and charter schools serving students in grades 6-8. The bill will also provide increasing funding for social workers or counselors each year from 2023 to 2025 Council Action: Letter written in support of the legislation and offering an observation.	Signed by the Governor August 3, 2022

Bill Number	Summary and Council Action	Status
House Bill No. 364 State Registry for Interpreters for the Deaf	Synopsis: The proposed Bill would create a registration system for American Sign Language (ASL) interpreters in Delaware Council Action: Letter written endorsing the legislation	Introduced and Assigned to House Labor Committee March 31, 2022
Senate Bill No. 277 Dentistry and Dentist Recruitment	Synopsis: The proposed legislation would increase recruitment opportunities for dentists in Delaware. This legislation increases opportunities for federally qualified health centers (FQHC) and government-operated dental clinics to serve the indigent and other underserved communities with dental care and improves flexibility with updated provisional licensing processes for FQHC and government-operated dental clinic applicants. It will assist FQHCs and government-operated dental clinics in recruiting dentists to serve those most in need. It adds FQHCs to the Delaware Institute for Dental Education and Research Board and creates the Dental Care Access Task Force to examine and recommend a course of action to address dental care in Delaware Council Action: Letter written endorsing the legislation and offering suggestions.	Passed on June 29, 2022 Ready for Governor Action
House Bill No. 409 Earned Sick Time and Safety Leave	Synopsis: The proposed Bill would require all employers within Delaware to provide employees (excepting federal employees and employees subject to Railroad Unemployment Insurance Act) with a minimum of one (1) hour of earned sick time and safety leave for every thirty (30) hours worked. Council Action: Letter written in support of the legislation	Introduced and Assigned to House Economic Development/Banking/Insurance & Commerce Committee March 31, 2022
House Bill No. 454 Special Education and Related Services Eligibility	Synopsis: The proposed Bill would extend eligibility for special education services to August 31 after the school year in which a student turned 22 Council Action: Letter sent endorsing the proposed legislation and sharing an observation	Signed by the Governor July 22, 2022

Bill Number	Summary and Council Action	Status
Senate Bill No. 270 Air Quality and Environmental Safety in Public Schools	<p>Synopsis: The proposed Bill would establish an evaluation and assessment system created by the Department of Education to determine whether a school facility is in good repair to assure that school facilities are clean, safe, and functional for staff and students. This Act also requires the Division of Public Health to establish a routine indoor air quality-monitoring program and temperature and humidity standards for schools that are published on the Department of Health and Social Services website via an information portal. It further requires the Division of Public Health to create a contractor certification program for indoor air quality services that will allow schools to contract with properly trained and certified contractors when indoor air quality remediation is necessary for a school facility, and it provides procedures for receiving and reporting indoor air quality complaints in schools</p> <p>Council Action: Letter written in support of the legislation</p>	Passed on June 30, 2022 Ready for Governor Action
House Bill No. 414 Expansion of Protection from Abuse Orders	<p>Synopsis: The proposed Bill would expand the grounds upon which a survivor of domestic violence can seek a Protection from Abuse order in Delaware Family Court. It adds to the definition of abuse “coercive conduct” which restricts, controls, or interferes with an individual’s finances or financial resources including their bank accounts, credit cards, employment, education, and personal identity. HB 414 would increase protections for individuals with disabilities who are experiencing financial abuse or exploitation by family members or intimate partners</p> <p>Council Action: Letter written in support of the legislation and making one request for clarity.</p>	Introduced and Assigned to House Judiciary Committee May 10, 2022
House Bill No. 415 Licensing of Health Care Providers from Other States	<p>Synopsis: The proposed legislation provides procedures by which a health care provider licensed in another state, may provide health care services in Delaware, including the process by which the Division of Professional Regulation must grant a temporary license. The Bill provides a mechanism for health providers, with licenses in other states, to start work in Delaware while they complete the licensure process. The temporary license expires when the licensing body either grants or denies the licensing application</p> <p>Council Action: Letter written supporting the proposed legislation.</p>	Introduced and Assigned to House Health & Human Development Committee May 10, 2022

Regulation	Summary and Council Action	Response/Update
25 DE Reg. 225/9 DE Admin. Code 105 DOE Emergency Order on Residential Child Care Facilities and Day Treatment Programs (September 1, 2021)	<p>Synopsis: Emergency Orders to establish a tiered strategy to prevent the spread of the COVID-19 virus. The tiered strategy combines encouraging vaccination with additional steps, including continuing mask usage. This approach is based on guidance from Centers for Disease Control and Prevention (CDC).</p> <p>Council Action: Letter written in support, offering observations and suggestions.</p>	No response noted in Register of Regulation
25 DE Reg. 229/14 Del. Admin. Code 815 DOE Emergency Order on Health Examinations and Screening (September 1, 2021)	<p>Synopsis: Emergency Orders to establish a tiered strategy to prevent the spread of the COVID-19 virus. The tiered strategy combines encouraging vaccination with additional steps, including continuing mask usage. This approach is based on guidance from Centers for Disease Control and Prevention (CDC).</p> <p>Council Action: Letter written in support, offering observations and suggestions.</p>	No response noted in Register of Regulation
25 DE Reg. 235/14 DE Admin. Code 933 DOE Emergency Order on DELACARE: Early Care and Education and School-Age Centers (September 1, 2021)	<p>Synopsis: Emergency Orders to establish a tiered strategy to prevent the spread of the COVID-19 virus. The tiered strategy combines encouraging vaccination with additional steps, including continuing mask usage. This approach is based on guidance from Centers for Disease Control and Prevention (CDC).</p> <p>Council Action: Letter written in support, offering observations and suggestions.</p>	No response noted in Register of Regulation
25 DE Reg. 239/14 DE Admin. Code 934 DOE Emergency Order on Family and Large Family Child Care Homes (September 1, 2021)	<p>Synopsis: Emergency Orders to establish a tiered strategy to prevent the spread of the COVID-19 virus. The tiered strategy combines encouraging vaccination with additional steps, including continuing mask usage. This approach is based on guidance from Centers for Disease Control and Prevention (CDC).</p> <p>Council Action: Letter written in support, offering observations and suggestions.</p>	No response noted in Register of Regulation

Regulation	Summary and Council Action	Response/Update
25 DE Reg. 244/14 DE Admin. Code 938 DOE Emergency Order on Youth Camps Regulations (September 1, 2021)	<p>Synopsis: Emergency Orders to establish a tiered strategy to prevent the spread of the COVID-19 virus. The tiered strategy combines encouraging vaccination with additional steps, including continuing mask usage. This approach is based on guidance from Centers for Disease Control and Prevention (CDC).</p> <p>Council Action: Letter written in support, offering observations and suggestions.</p>	No response noted in Register of Regulation
25 DE Reg. 252, 257 & 259 Delaware Health Information Network (DHIN) Participation and Use of Data regulations (September 1, 2021)	<p>Synopsis: The proposed amendments implement changes to DHIN enabling statute due to the passage of SB 88 in June of 2021. SB 88 updated provisions to more clearly allow for the sharing of certain clinical data “for appropriate analytic and public health purposes”.</p> <p>Council Action: Letter written supporting the proposed changes and sharing observations per section.</p>	DHIN responded in the Final regulations in the Register of Regulations noting Council by name. Stated that DHIN appreciated the thoughtful input and support.
25 DE Reg. 319-357 DHSS/DHCQ Emergency Regulations regarding COVID-19 Requirements (October 1, 2021)	<p>Synopsis: Emergency Order in reference to the development of a comprehensive infection control and prevention program to protect Delaware citizens from COVID-19.</p> <p>Council Action: Letter written in support, offering suggestions.</p>	No response noted in Register of Regulation
25 DE Reg. 422 DHSS/DMMA Public Notice on Targeted Case Management for Individuals with Intellectual and Developmental Disabilities Regulation (October 1, 2021)	<p>Synopsis: Proposed changes to the reimbursement methodology used for Targeted Case Management (TCM) for individuals with intellectual or developmental disabilities (IDD) who qualify for services from the Division of Developmental Disabilities Services (DDDS). Qualified individuals must also live in their own home or their family home.</p> <p>Council Action: Letter written in support of the proposed regulation.</p>	No response noted in Register of Regulation
25 DE Reg. 384 DHSS/DMMA Proposed Program of All-Inclusive Care for the Elderly (PACE) Regulation (October 1, 2021)	<p>Synopsis: Proposal to amend the Title XIX Medicaid Plan to incorporate the current version of the Program of All-Inclusive Care for the Elderly (PACE).</p> <p>Council Action: Letter written endorsing the proposed regulation.</p>	No response noted in Register of Regulation

Regulation	Summary and Council Action	Response/Update
<p>25 DE Reg. 360/14 DE Admin. Code 615 DDOE Proposed School Attendance Regulations (October 1, 2021)</p>	<p>Synopsis: The proposed amendments would require school attendance policies to:</p> <ul style="list-style-type: none"> • “[...]include information on how families and students may access supports and resources for student absences due to social, emotional and behavioral wellness.” (2.1) • “[...]Permit one excused absence per school year for students in grades 6 through 12 to attend civic engagements, such as visits to the United States Capitol, Delaware Legislative Hall, political or cultural significance sites, to advocate or testify on behalf of legislation, or to participate in a rally, march, or protest. The student's parent, guardian, or relative caregiver must submit a signed, written excuse which is received by the district or charter school at least three (3) days before the student's absence.” (2.2) • Include procedures for excusing absences for religious observances. (2.3) • Provide a parent or guardian with a hard copy of the attendance policy “when absences have exceeded ten (10) unexcused absences. <p>Council Action: Letter written offering observations and recommendations.</p>	<p>DDOE responded to comments in the Final Regulations in the Register of Regulations. No source of comments received was provided but Council comments were not accepted or acted upon as the DDOE responded that it “...does not believe further amendments are warranted..., intentionally wants the language to be broad... and LEAs didn't believe providing the attendance policy to each parent each year was necessary.”</p>
<p>25 DE Reg. 500 Division of Substance Abuse and Mental Health (DSAMH) Driving Under the Influence (DUI) Programs Regulation (November 1, 2021)</p>	<p>Synopsis: Proposed regulation governing the administration of driving under the influence (DUI) programs. Per legislation passed in 2018 that amended the relevant statute (21 <u>Del. C.</u> § 4177D), authority over DUI programs in Delaware was transferred from the Office of Highway Safety to DSAMH. DSAMH is proposing new regulations governing DUI programs and proposing to repeal the regulations previously promulgated by the Office of Highway Safety, in accordance with that authority. These regulations do not apply to the Court of Common Pleas Driving Under the Influence program, which is separately administered by the Court, however under the law completion of that program is considered equivalent to a program operated under the authority of DSAMH for the purposes of driver's license reinstatement.</p> <p>Council Action: Letter written offering suggestions and observations.</p>	<p>DHSS/DSAMH responded in the Final Regulation in the Register that no sliding scale has ever existed for DUI programs. Noted these fees are necessary to ensure that providing these services remains a financially viable venture for programs. DSAMH is supportive of sliding scale fee based on participant's ability to pay, but is unable to implement as it lacks funding source to reimburse programs the difference and administrative capacity to determine financial eligibility for participants.</p>

Regulation	Summary and Council Action	Response/Update
25 DE Reg. 491 DHSS/DMMA Assertive Community Integration Support Team (ACIST) Amendment to Title XIX Medicaid State Plan Regulation (November 1, 2021)	<p>Synopsis: Proposal to amend Title XIX of the Medicaid State Plan. Specifically, the proposal is in reference to amending the Home Health Services section of the Medicaid State Plan to sunset the Assertive Community Integration Support Team (ACIST) as an option.</p> <p>Council Action: Letter written offering suggestions and observations.</p>	DHSS/DMMA responded to each of the suggestions made by Council in the Final Regulation in the Register of Regulations thanking the GACEC for its thoughtful input.
25 DE Reg. 486/DE Admin. Code 1564 DDOE Proposed Physical Education Teacher Regulations (November 1, 2021)	<p>Synopsis: The proposed changes include the following:</p> <ol style="list-style-type: none"> 1. adding definitions and striking defined terms in Section 2.0; 2. clarifying the requirements for issuing a Physical Education Teacher Standard Certificate in Section 3.0; 3. specifying the education, knowledge, and skill requirements for obtaining a Physical Education Teacher Standard Certificate in Section 4.0; 4. specifying the application requirements in Section 5.0; 5. adding Section 6.0, which concerns the validity of a Physical Education Teacher Standard Certificate; 6. adding Section 7.0, which concerns disciplinary actions; 7. adding Section 8.0, which concerns requests for the Secretary of Education to review standard certificate applications; and 8. adding Section 9.0, which concerns recognizing past certificates that were issued by the Department. <p>Council Action: Letter written sharing observations.</p>	Professional Standards Board (PSB) acknowledged GACEC comments in the Register of Regulations and withdrew the proposed amendments published on November 1 to gather more data and information on adapted physical education. After information was received from Sabra Collins, DDOE Associate for Physical Education, Health and Wellness, and Frank Hughes, a current P.E. teacher at the John G. Leach School, the PSB determined that further changes as a result of GACEC's comments were not necessary and re-published the proposed amendments on March 1, 2022 as well as the additional changes that were not made as a result of GACEC's comment.

Regulation	Summary and Council Action	Response/Update
25 DE Reg. 699/DE Admin. Code 615_DDOE Final School Attendance Regulations (January 1, 2022)	<p>Synopsis: Approval to include new requirements to its school attendance policies in October of 2021 as proposed in 25 DE Reg. 360.</p> <p>Council Action: Letter written requesting rationale on DDOE lack of information on source of comments received from GACEC on the proposed regulations and rationale for non-acceptance of GACEC suggestions on the proposed regulations.</p>	No response noted in Register of Regulation
25 DE Reg. 684 Department of Insurance Proposed Requirements for Mandatory Minimum Payment Innovations in Health Insurance Reg. (January 1, 2022)	<p>Synopsis: Proposal to implement Senate Substitute 1 for Senate Bill 120 through proposed regulation 1322 Requirements for Mandatory Minimum Payment Innovations in Health Insurance.</p> <p>Council Action: Letter written supporting the regulation as written.</p>	Department acknowledged comments from the Council in the Register of Regulations only as one of two commenters who supported the regulations completely. Was not listed by name.
25 DE Reg. 673 Department of Safety and Homeland Security Delaware Council on Police Training Body Worn Cameras Reg. (January 1, 2022)	<p>Synopsis: Proposal to amend 1 <u>Del. Admin. C.</u> §801, by adding §801.26, which will set mandatory standards for the use, activation, electronic storage and dissemination of body worn cameras (BWC)</p> <p>Council Action: Letter written sharing concerns and observations.</p>	No response noted in Register of Regulation
25 DE Reg. 910 DELACARE Regulations for Early Care and Education and School Age Centers (April 1, 2022)	<p>Synopsis: Proposal to make numerous amendments to childcare regulations, including many that may impact children with disabilities</p> <p>Council Action: Letter written in support of the proposed amendment and offering recommendations.</p>	DDOE listed GACEC comments by name in the Final Regulations in the Register. Stated that it appreciates these comments and addressed recommendations.

Regulation	Summary and Council Action	Response/Update
25 DE Reg. 934/DE Admin. Code 1581 DDOE Proposed School Reading Specialist regulation (April 1, 2022)	<p>Synopsis: Proposal, in conjunction with the Professional Standards Board to amend 14 <u>Del. Admin. C.</u> § 1581, which describes the requirements for obtaining the School Reading Specialist standard certificate</p> <p>Council Action: Letter written sharing observations.</p>	PSB noted in Final Regulations in the Register that GACEC's comments were not necessary because the Board is in the process of incorporating the proposed language in all applicable regulations moving forward. The re-published regulation includes all of the April 1 amendments as well as the change in the course title in subsection 4.1.1.1.2.5.
25 DE Reg. 940 DSHS Proposed Expansion of Outdoor Seating: Procedures, Standards and Fees on Alcoholic Beverages regulation (April 1, 2022)	<p>Synopsis: The proposal is concerning the expansion of outdoor seating for serving food and drinks. The amendments also include procedures on curbside service provided by package stores, containers used for alcohol to-go from restaurants, taprooms, and taverns, and the age of employed persons who can sell and serve alcohol to customers</p> <p>Council Action: Letter written offering suggestions</p>	DSHS acknowledged GACEC comments in the Final Regulation in the Register. Stated that they considered the valued comments and concerns from the GACEC and adopted the proposed regulation, as published previously, without changes.
25 DE Reg. 1006 DPH Proposed Revision of Childhood Lead Poisoning Prevention Act Regulations (May 1, 2022)]	<p>Synopsis: Proposal to revise regulations governing the Childhood Lead Poisoning Prevention Act for children between the ages of 22 and 26 months. This revision is required by House Bill No. 222 as amended by House Amendment 1. The proposed amendments will rename the regulation to remove outdated references, update and add new definitions, update requirements for blood lead testing and make technical corrections</p> <p>Council Action: Letter sent supporting the proposed revisions and sharing observations and recommendations</p>	No response noted in Register of Regulation

Regulation	Summary and Council Action	Response/Update
25 DE Reg. 1012 DHSS/DSS Proposed Defining Relative In-Home Child Care Regulation (May 1, 2022)	<p>Synopsis: Proposal to amend the DSS Manual (DSSM) to define and explain the requirements for a relative to provide childcare services in the child's home through the Purchase of Care program</p> <p>Council Action: Letter written sharing concerns and requesting more information</p>	No response noted in Register of Regulation
25 DE Reg. 1033 DHSS/DMMA Public Notice of Proposed Amendments to the HCBS Lifespan Waiver Regulation (October 1, 2021)	<p>Synopsis: This waiver funds services provided through the Division of Developmental Disabilities Services (DDDS)</p> <p>Council Action: Letter written in support of the proposed changes</p>	No response noted in Register of Regulation
25 DE Reg. 1102 DHSS/DHCQ Proposed Regulations Governing Training and Qualifications for Certified Nursing Assistants (June 1, 2022)	<p>Synopsis: The proposed regulations govern training and qualifications for certified nursing assistants (CNAs)</p> <p>Council Action: Letter written supporting the proposed regulation</p>	DHCQ (Division of Health Care Quality) acknowledged the GACEC in the Register of Regulations and stated that they appreciate the Council's support. No changes were made based on GACEC comments.
25 DE Reg. 1105 DHSS/DMMA Proposed Incarcerated Individuals Medicaid Program Regulation (June 1, 2022)	<p>Synopsis: The proposed amendment would allow inmates of a public institution to enroll in Medicaid but would not provide coverage while the individual is incarcerated unless the inmate is an inpatient at a medical facility for more than 24 hours. The changes, which these regulations would make to the Medicaid program for an inmate in a public institution, were mandated by the Centers for Medicare and Medicaid Services (CMS)</p> <p>Council Action: Letter written supporting the proposed regulation</p>	No response noted in Register of Regulation

<i>Regulation</i>	<i>Summary and Council Action</i>	<i>Response/Update</i>
25 DE Reg. 1067/14 DE Admin. Code 934 DDOE Proposed Regulations for Family and Large Family Child Care Homes (June 1, 2022)	<p>Synopsis: The proposed revisions would bring the regulations into compliance with grant requirements and legislation. The proposed revision also more clearly defines safety procedures for children and staff.</p> <p>Council Action: Letter written in support of the revisions and sharing a recommendation</p>	DDOE acknowledged GACEC comments in Register of Regulations but did not list name of commenter.
25 DE Reg. 1100/DE Admin. Code 1581 DDOE Proposed School Reading Specialist regulation (June 1, 2022)	<p>Synopsis: The amendment describes the requirements for obtaining the School Reading Specialist standard certificate</p> <p>Council Action: Letter written supporting the revised regulation, thanking DDOE for accepting some recommendations and sharing concern over conflicting definitions</p>	No response noted in Register of Regulation